

Church and State in Western Australia : Implementing New Imperial Paradigms in the Swan River Colony, 1827–1857

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This article examines, through the work and attitudes of its first four governors, the relations between Church and State in the last Australia colony to be established. It covers the period from the foundation of the colony in 1829 to the arrival of the first resident bishop of Perth in 1857. It challenges the prevailing historiography of a colonial administration wedded to Anglican privilege, and discusses the persistence of an erastian mind-set among the colonial governors in the 1840s despite the advent of a new paradigm of autonomous imperial engagement by the Church of England.

On 17 June 1829, when Captain James Stirling RN, as lieutenant-governor of Britain's latest addition to her empire, proclaimed the colony of Swan River, it was one of the largest tracts of land on the imperial map. When his commission arrived in January 1832 it established a colony that was exactly the size of mainland Western Australia today, a third of the continental land mass.¹ The reality of European settlement and invasion into the lands of the Nyungyar people was tiny in comparison. Stirling landed in the south-west corner of that enormous area at the head of some two hundred colonists and established two settlements, the port of Fremantle at the mouth of the Swan River and, fourteen miles upstream, the capital, Perth. The settlers were immediately preoccupied with survival on a sandy coastal plain that was far different from the glowing reports Stirling himself had sent back in 1827 when, as captain of HMS *Success*, he had surveyed the area, and subsequently lobbied for its colonisation. By 1838 these meagre

JRS = *Journal of Religious History*; *SPG* = Society for the Propagation of the Gospel;
SROWA = State Records Office of Western Australia

¹ Pamela Statham-Drew, *James Stirling: admiral and founding governor of Western Australia*, Nedlands, WA 2003, 203–4.

numbers had increased to 914, but by 1850 there were still only about 6,000 Europeans in the south-western corner of this vast land, the discovery of gold in the eastern colonies making them far more attractive propositions for migrants. By 1853 the requested introduction of convict transportation to solve the dire labour shortage had helped to swell numbers throughout the colony to just over 9,000.² Not only was the new colony remote from Britain, it was also a long way from its eastern Australian counterparts. The nearest colony was South Australia, founded in 1834. A journey of eight days from Adelaide to the closest Western Australian settlement, Albany, in King George's Sound on the southern ocean, was regarded as exceptionally quick.³ From Albany it was still another 300 miles to Perth. New South Wales was an impossible distance away. When the Roman Catholic bishop of Sydney visited Perth in 1852 to sort out a tangled strife involving his subordinate, the bishop of Perth, he took nearly four months to get there.⁴ The Swan River colony was, almost literally, the end of the earth; British earth at least, and the least desirable and poorest of all Britain's Australian colonies until the discovery of gold there in the 1890s. It also remained a colony for longer than any other in Australia, not achieving until 1890 the representative government that the eastern colonies were granted in 1850. Few Britons wanted to migrate to the remote vastness of Western Australia, and many of those who did often wished that they were somewhere else.

This article looks at the Church of England in the Swan River colony between its foundation in 1829 and the inauguration in 1857 of the diocese of Adelaide, a see which embraced Western Australia (as the Swan River colony was known by that time). In particular it examines the relationship between the Church of England and the state, as the colony transited the customary Church-State partnership into a new imperial paradigm for Anglicanism of acting autonomously in colonies to establish episcopal Churches. It does so through an examination of the ecclesiastical administration of the first governors – James Stirling (1832–9), John Hutt (1839–46), Andrew Clarke (1846–7) and Charles Fitzgerald (1848–55). A challenge is presented to the prevailing Western Australian historiography of a colonial government wedded to Anglican privilege. It will be argued that an even-handedness by the colonial government was instituted suprisingly promptly in the 1830s. In addition, far from maintaining a bias towards the Church of

² Margaret Pitt Morison and John White, 'Builders and buildings', in C. T. Stannage (ed.), *A new history of Western Australia*, Nedlands, WA 1981, 517; R. T. Appleyard, 'Western Australia: economic and demographic growth, 1850–1914', in Stannage, *New history of Western Australia*, 212, 215.

³ Bishop Augustus Short to secretary, 7 Nov. 1848, SPG archive, Bodleian Library, Oxford, USPG/CLR/205, fos 123–6

⁴ D. F. Bourke, *The history of the Catholic Church in Western Australia, 1829–1979*, Perth 1979, 45–7.

England, the colonial government maintained an erastian control over that Church which was at odds with the increasing political neutrality of imperial government from the 1830s.

In 1829 the State and the Church of England had been in partnership in the empire for two centuries. The relationship had had its peaks and troughs, but had been revitalised following the loss of the thirteen North American colonies at the end of the American War of Independence in 1783. After what was commonly viewed by the British as a debacle, the state had reinvested in exporting the Church of England as a major resource for the inculcation of colonial loyalty. Colonial bishops, long an unheeded request of missionaries and churchmen in the eighteenth century, were established in Nova Scotia, Canada, the West Indies and India, with an archdeaconry of New South Wales in 1824, and a short-lived Ecclesiastical Department within the Colonial Office in 1825.⁵ But in the 1830s, as a consequence of the abolition of the Test and Corporations Act, Catholic emancipation and the passing of the Reform Bill of 1832, the British state abandoned the centuries-old Anglican hegemony in favour of increasing political neutrality towards British and colonial Churches.⁶

The response of the Church of England to the loss of its imperial hegemony took another decade to formulate, but it resulted in the early 1840s in a new imperial paradigm whereby that Church began to act autonomously to endow episcopally-governed Churches in the empire. This was the outcome of the establishment of the Colonial Bishops Fund in 1841, an initiative by major metropolitan Anglicans, led by Bishop Charles Blomfield of London, to found a capital fund for the endowment of colonial bishoprics. In this way such bishoprics would be resourced entirely without assistance from the state, which these Anglicans regarded as having been seriously deficient in its support for the Established Church. The Colonial Bishops Fund would also ensure that the situation of the former North American colonies, where the Church of England had existed for decades without a bishop, would not recur in the British Empire. After 1841 colonies would be furnished with bishops by the Church of England acting alone.⁷

After the abandonment by the state of its centuries-old partnership with the Church of England, the dissolution of Anglican hegemony in the Australian colonies was largely fought out over the issue of state aid to denominations. The implementation of cross-denominational state aid in the Australian colonies demonstrates that the replacement by the state of the old imperial

⁵ D. M. Young, *The Colonial Office in the early nineteenth century*, London 1961, 76–7.

⁶ Geoffrey Best, 'The constitutional revolution, 1828–1832, and its consequences for the Established Church', *Theology* lii (1959), 226–34; Boyd Hilton, *A mad, bad & dangerous people: England, 1783–1846*, Oxford 2006, 379–83.

⁷ Rowan Strong, *Anglicanism and the British Empire, c. 1700–1850*, Oxford 2007, ch. iv.

paradigm of an exclusive Anglican partnership was relatively quickly imposed by colonial governments upon a reluctant Church of England.

New South Wales, the oldest colony, for the first four decades of its existence was the clearest Australian embodiment of the old imperial paradigm, coming very close to actual legal establishment of the Church of England. Initially the Anglican clergy were paid by the state, first as military chaplains. The archdeaconry established in 1824 ranked third in colonial official precedence, and oversaw all colonial education. The Church and Schools Corporation, instituted by the colonial government in 1824, set aside one-seventh of all crown lands for Anglican schools and churches.⁸ But the issue of state aid in New South Wales illustrates just how quickly the colonial government there moved to mirror the growing religious neutrality of the British metropolitan state in the 1830s.⁹ A Church Act was initiated by Richard Bourke, the Whig appointee as governor from 1831 to 1839, and passed in 1836. This brought to an initial head the new conflict between Church and State in the colonies consequent upon the paradigm shift in religion for imperial engagement by the state. The act provided government subsidies to all major denominations in New South Wales (initially Church of England, Presbyterian and Roman Catholic). It provided for a scale of clergy stipends, based on the numbers of local adherents declaring their willingness to attend a particular place of worship. It also provided for the subsidised building of churches and clergy houses, with grants in direct proportion to the amount of money raised by any particular congregation, up to the sum of £1,000, provided the congregation had initially raised £200. In settlements where the building of a church was impractical, the government would pay to the clergyman an amount equal to that raised by the local adherents of his church.¹⁰ However, the predominance of Anglican numbers among the colony's population meant that Anglicans benefited most from the act, an inbuilt advantage which remained until the end of state aid to religion in New South Wales in 1863. But the principle of severing the exclusive partnership of the state with the Church of England had been determined thirty years previously with the 1836 Act.

South Australia also initially experienced the maintenance of the old Church-State partnership. In that colony, planted in the liberal enthusiasm following the 1832 Reform Bill, its founders espoused religious equality. But the British act establishing the colony in 1834 contained provision for the paid appointment of the clergy of the Established Church, both of the Church of England and of Scotland, 'for the peace, order and good government of His Majesty's subjects'. In the event, only one such civil list

⁸ Ross Border, *Church and State in Australia, 1788–1872: a constitutional study of the Church of England in Australia*, London 1962, 48–50.

⁹ Strong, *Anglicanism*, 32.

¹⁰ John Barrett, *That better country: the religious aspect of life in eastern Australia, 1835–1850*, Melbourne 1966, 34.

chaplaincy was ever created, although two Anglican clergymen served in the post and it lasted until 1869. However, while the old paradigm of Church-State partnership was originally envisaged for the colony by the British government, it was quickly overturned by the liberal zeal of leading colonists, including Anglicans, who opposed state aid to the Churches and desired them all to be voluntary societies free from government control.¹¹

Victoria, separated from New South Wales in 1851, never of course experienced the old imperial paradigm of Anglican privilege; state aid there was always administered to the various denominations on the basis of adherence determined by the census until it was abolished in the early 1870s.¹² Van Dieman's Land, as part of New South Wales until 1850, certainly knew the 'Anglican ascendancy'. Brian Fletcher points to the control of the Anglican chaplains there by the colonial government and Patricia Curthoys to the continued opposition in the 1840s of the first bishop of Tasmania to the government's denominational equality.¹³ However, under the Church Act and the Church of England Temporalities Act of 1837, Curthoys says that the 'bishop held complete authority in the colonial church', although the clergy objected to his consistorial court, which gave the colonial government an on-going opportunity in the 1830s to interfere.¹⁴ While state aid was not abolished until 1869, the dissolution of an Anglican preference by the state was established in Van Dieman's Land with the 1837 acts.¹⁵

The Colonial Office initially envisaged that the Swan River colony would follow the pattern of the quasi-established Anglican Church in New South Wales, in a manner suggestive of the Church and Schools Corporation in the eastern colony. It officially instructed Stirling to support religion: 'You will bear in mind, that, in all locations of Territory, a due proportion must be reserved for the Crown, as well as for the maintenance of the Clergy, support of Establishments for the purposes of Religion, and the Education of youth, concerning which objects more particulars will be transmitted to you hereafter.'¹⁶ By religion the instructions meant Christianity; and by Christianity, as no one was in any doubt, was meant the established Church of England. The imperial government also appointed John Wittenoom as the official

¹¹ N. K. Meaney, 'The Church of England in the paradise of dissent: a problem of assimilation', *JRH* iii (1964), 137–57.

¹² G. R. Quaife, 'Religion in colonial politics: state and sectarianism in Victoria, 1856', *JRH* x (1978), 179; Patricia Curthoys, 'State support for Churches, 1836–1860', in Bruce Kaye (ed.), *Anglicanism in Australia: a history*, Melbourne 2002, 48.

¹³ Brian Fletcher, 'The Anglican ascendancy, 1788–1835', in Kaye, *Anglicanism in Australia*, 27; Curthoys, 'State support', 32–3.

¹⁵ Curthoys, 'State support', 47–8.

¹⁴ Border, *Church and State*, ch. ix.

¹⁶ Lieutenant-Governor James Stirling's instructions, 30 Dec. 1828, State Library of Western Australia: http://www.foundingdocs.gov.au/resources/transcripts/wa2_doc_1828.pdf, accessed 16 Jan. 2008, fos 7, 9, 13–14.

colonial chaplain with £250 plus allowances on the civil list.¹⁷ But Western Australia, proclaimed in 1829, was colonised midway through the metropolitan constitutional changes that caused the demise of Anglican hegemony in England, and consequently, throughout the empire. Although the new political paradigm of dealing equitably with all denominations was remarkably quickly inaugurated in that colony, there was greater difficulty for colonial officials in relinquishing an erastian understanding of that old paradigm, especially when they encountered the new Anglican imperial paradigm of episcopally-governed colonial Churches.

The interpretation offered in this paper of a colonial government that was genuinely implementing a new political neutrality towards Churches is at odds with the views of the few historians of the colony who have bothered themselves with religion.¹⁸ The prevailing understanding among these scholars is that the governors and their officials, all members of the Church of England in this period, in fact exercised a partiality for that Church which resulted in it receiving an undue amount of official support compared with other Churches. Marion Aveling believes that, notwithstanding the local act to promote churches and ministers, there was a 'preference of Anglican officials and landowners for the Church of their fathers [which] allowed the Church to preserve an élite status in the colony'. There was, she maintains, an official bias towards the Church of England, drawing its justification from census returns of nominal adherents.¹⁹ Dennis Bourke, in his history of

¹⁷ 'Fixed salary list of the civil establishment in the colony of Western Australia', n.d., SROWA, ACC 49/5.

¹⁸ Major published works on the religious history of Western Australia beyond parish histories and histories of church organisations or religious orders in recent decades are sparse and somewhat dated, with Roman Catholicism among the best represented. They include: Richard K. Moore, *All Western Australia is my parish: a centenary history of the Baptist denomination in Western Australia, 1895–1995*, Perth 1996; Christine Choo, *Mission girls: Aboriginal women on Catholic missions in the Kimberley, Western Australia, 1900–1950*, Nedlands, WA, 2001; Marian Aveling, 'Western Australian society: the religious aspect (1829–1895)', in Stannage, *New history of Western Australia*, 575–98; D. F. Bourke, *The history of the Catholic Church in Western Australia, 1829–1979*, Perth 1979; George Russo, *Lord abbot of the wilderness: the life and times of Bishop Salgado*, Melbourne 1980; William McNair and Hilary Rumley, *Pioneer Aboriginal mission: the work of Wesleyan missionary John Smithies in the Swan River Colony, 1840–1855*, Nedlands, WA 1981; John Tonkin, *Cathedral and community: a history of St George's Cathedral, Perth*, Nedlands, WA 2001; John Tonkin (ed.), *Religion and society in Western Australia*, Nedlands, WA 1987; and Colin Holden, *Ritualist on a tricycle: Frederick Goldsmith: Church, nationalism and society in Western Australia, 1880–1920*, Nedlands, WA 1997. This is in contrast to publications on the history of Anglicanism in Australia more generally, a topic which has seen a revival in recent decades. Some major publications include David Hilliard, *Godliness and good order: a history of the Anglican Church in South Australia*, Adelaide 1986; S. Judd and K. J. Cable, *Sydney Anglicans: a history of the diocese*, Sydney 1987; B. Porter, *Melbourne Anglicans: the diocese of Melbourne, 1847–1978*, Melbourne 1997; T. Frame, *A Church for the nation: a history of the Anglican diocese of Canberra and Goulburn*, Sydney 2000; and Kaye, *Anglicanism in Australia*.

¹⁹ Aveling, 'Western Australian society', 577.

Catholicism in Western Australia, maintains that there was 'partiality' towards the Protestant Churches in the distribution of government funds on the part of the colonial administration, 'but not for Catholics'. He cites the fact that from 1844 to 1848 there were no official funds expended on Catholics, causing them to petition the secretary of state directly.²⁰ A recent thesis, a sophisticated analysis of Western Australian Catholic education as an often contentious mix of internal Roman Catholic cultures, nevertheless still perpetuates the motif of a biased anti-Catholic pro-Anglican colonial administration. That local government, according to Eugene McKenna, 'viewed the development of the Catholic mission, particularly its schools, with a mixture of envy and suspicion'.²¹ The historians of early Methodism in the colony follow the views of the pioneering Wesleyan minister in maintaining that the Wesleyan mission also experienced the animus of the 'High Church party' which dominated the Executive Council in 'furthering its own cause'.²²

Aveling's understanding is underwritten by her contention that most of the population, coming from the lower orders, had little time for the Anglican Church and its worship, and therefore support for the Church of England based on census figures was both a notional and largely an elite official affair.²³ This interpretation is at least questionable, and there is more evidence for the practice of religion among the colonial lower orders than has been thought to exist by historians, who may have been misled by sources written by clergy. Colonial popular religion in Australia was not so alienated from Christianity or the Church of England, as is commonly supposed. The evidence of colonial religious indifference largely derives from clergy sources bemoaning settlers' failure to attend church. One leading Western Australian source was John Wollaston, from 1841 priest at the struggling remote coastal settlement of Bunbury, 109 miles south of Perth, and from 1849 inaugural archdeacon of Western Australia. He kept detailed journals of his life in Bunbury, and his later visitation journeys through the colony. Though Wollaston often notes poor church attendance, he also found various religious practices being maintained in the homes he visited, such as Bible and prayer book reading, and even hymn-singing and family prayers.²⁴ In addition, settlers did not always attend church only because they were indifferent, but also because of other pressures such as distance or harvest.

²⁰ Bourke, *Catholic Church in Western Australia*, 27–8.

²¹ Eugene McKenna, 'The influence of ecclesiastical and community cultures on the development of Catholic education in Western Australia, 1846–1890', unpubl. PhD diss. Murdoch 2005, 22.

²² McNair and Rumley, *Pioneer Aboriginal mission*, 54–5.

²³ Aveling, 'Western Australian society', 576.

²⁴ Rowan Strong, 'The Reverend John Wollaston and colonial Christianity in Western Australia, 1840–1863', *JRH* xxv (2001), 261–85.

This admittedly tentative conclusion is further supported from evidence presented here that the governors, in giving grants to the Anglicans, were in fact responding to local requests. Not only did some local elites initiate church-building,²⁵ but local people also petitioned for churches and clergy. The settlers at Albany, for example, Presbyterian and Anglican largely, repeatedly petitioned the governor and the Society for the Propagation of the Gospel for a resident clergyman in July 1837, again in 1842 and yet again in 1846. By 1845 they had taken matters into their own hands and begun to build a church, notwithstanding they did not achieve their desire for a priest until 1848.²⁶ Similarly, in the inland town of York, sixty-one miles north-east of Perth, the settlers attempted in a number of ways to obtain a resident clergyman. When they found one, fortuitously, in the shape of the settler and priest, William Mears, they set about petitioning the governor for a stipend for him so that he could become full-time in his clerical duties.²⁷ There is, therefore, sufficient evidence of authentic Anglican religious practice to question the rather simplistic motif of settler religious indifference or sectarianism that has been prevalent until recently in Australian historiography and since Manning Clark's magisterial history. In his influential multi-volumed *History of Australia* (Melbourne 1962–87), Manning Clark portrayed religion and the Churches in Australian history in an almost exclusively negative, not to say pejorative, tone. For him their importance was limited almost entirely to being carriers of an unwelcome sectarianism into Australian society (for example, vol. i. 105–6). The interpretation of settler religious indifference also owes much, as Aveling's article indicates, to the work of K. S. Inglis, and also A. D. Gilbert, who maintained that the working classes in England, and elsewhere in the empire, had largely disconnected from the institutional Churches by the second half of the nineteenth century. Such an interpretation has been seriously challenged by the recent work of Callum Brown and Hugh McLeod, which makes it clear that both institutional and non-institutional dimensions of religion remained important to large numbers of working-class Britons until the twentieth century. However, in Australian colonial history, the older interpretation has been prevalent, and can be found in such works as Allan Grocott, *Convicts, clergymen and Churches: attitudes of convicts and ex-convicts towards the Churches and clergy in New South Wales from 1788 to 1851* (Sydney 1980). This view of Australian colonial religion has allowed religion to be virtually ignored in such standard works as Jan Kociumbas,

²⁵ John Wollaston to Governor Charles Fitzgerald, 9 June 1848, SROWA, WAS 1187, Cons 136.

²⁶ Captain Richard Spencer RN, Government Resident, Albany, to secretary, SPG, 6 July 1837, SPG, USPG/CLR/200, fos 71–3; colonial secretary. to J. B. Wittenoom, 16 Feb. 1842, SROWA, ACC 49/15, fo. 262; colonial secretary to Wollaston, 20 Mar. 1846, ACC 49/22, fo. 121; George King to secretary, SPG, 15 Feb. 1845, SPG, USPG/CLR/201, fos 324–8.

²⁷ Colonial secretary to Resident, York, 11 Mar. 1842, SROWA, ACC 49/16, fos 83–4.

The Oxford history of Australia, II: 1770–1860: Possessions (Melbourne 1990). Colonial religious indifference in colonial Australia has been most imaginatively challenged by Alan Atkinson in his fascinating books on colonial culture, *The Europeans in Australia* (Oxford 1997, 2004).²⁸

While colonial religious indifference certainly did exist, it stood alongside substantial numbers of settlers desiring the accoutrements of organised religion such as churches and clergy. That being so, official support for the Church of England can be attributed to officials responding to petitioning from settlers, the huge majority of whom in Western Australia were members of the Church of England, and significant numbers of them more than nominal members of their Church.

But aside from establishing that government funding to Anglicans was meeting genuine and sizeable settler religious demands, the question remains whether Anglican colonial officials in Western Australia, chiefly the successive governors of the period, evince a partiality for the Church of England that was at odds with the stated imperial policy from the 1830s of an impartiality toward all colonial Churches? Demonstrably the Church of England received the greatest proportion of the limited government largesse in that chronically poor and undeveloped colony, but its numbers do indicate its prevailing predominance among the colonial population. The 1848 census indicated there was a population of 4,622 persons in the colony; of these 3,063 gave their religion as Church of England. After that the highest religious adherence was Roman Catholic with 337, but these were outnumbered by a combination of various Protestant designations (Wesleyan 276, 'Other Protestant Dissenters' 188, and 'Protestants not specified' 311). There were also 90 'Mohammedans and Pagans'. The huge gap between the Anglicans and the other Churches was even more pronounced in the few settlements of the colony. Perth had 607 self-described Anglicans, 174 Wesleyans, 126 Roman Catholics, and 99 Independents. In the other centres the gap was even greater. Fremantle had 362 Anglicans, 29 Roman Catholics and just 5 Wesleyans. Bunbury, with 64 Anglicans, had just 2 Roman Catholics and 5 Wesleyans; Albany, 124 Anglicans and 9 Roman Catholics, 21 Other Protestant Dissenters and no Wesleyans; and Guildford, at the southern end of the Swan Valley, upstream from Perth along the Swan River, had 63 Anglicans, 1 Wesleyan, 21 Independents and 3 Roman Catholics.²⁹

The distribution of government funding to denominations in the colony came under the 1840 act of the Legislative Council, 4 Vict No 6, 'An Act to promote the building of Churches & Chapels and to contribute towards the Maintenance of Ministers of Religion in Western Australia'. This was, as the Colonial Office recognised, virtually a transcript of the Governor Bourke's

²⁸ For further comments see Strong, 'Wollaston', 262–4.

²⁹ *Western Australian Government Gazette*, 19 Dec. 1848, 2, 5, 6.

1836 Church Act in New South Wales, the major distinction being that the Western Australian act provided a smaller amount of government contribution towards the erection of churches than its New South Wales counterpart.³⁰ It would mean that the six Anglican priests who eventually came to the colony prior to the establishment of the first bishopric in 1847 could be paid by the colonial government (if they did not have funding from a missionary society), once they had realised the qualifications under the act. It also meant that the governor was their paymaster and their superior, as they were effectively equal in status under the entirely nominal oversight of Bishop Broughton in Sydney as bishop of Australia.

Notwithstanding their massively inferior numbers in comparison to the Anglicans, both the Wesleyans and the Roman Catholics complained about unfair government treatment under this act. Wesleyan numbers had received a boost in the early days of the colony when a group of English Wesleyans had chartered a vessel and thirty-seven passengers arrived in the colony in February 1830. In 1834 they had built a chapel in Perth, and in June 1840 their first minister, John Smithies, arrived, funded by the Wesleyan Missionary Society in London as a missionary to the Aborigines, although his funding was always inadequate and intermittent.³¹ A year later the Wesleyans were memorialising the governor for a stipend to be paid to their missionary under the 1840 act, the first such request to be received. This application was refused and they petitioned the secretary of state for the colonies for redress. In forwarding their memorial Governor Hutt explained the negative response of the colonial government. His government needed to proceed cautiously with this first application under the 1840 act because it would create a precedent and involved the government in an area of continuing expenditure. If he did not know already, Hutt would receive a reminder of the perennial Colonial Office fixation on fiscal parsimony in a despatch from Lord Russell, written the same month as the Wesleyan memorial. Russell affirmed that the colonial act would only be approved by the imperial government if its financial dimensions were tightened to allow local government discretion in accepting applications, and that a limit to the total expenditure on churches and stipends be fixed at £500.³² Hutt, then, was very much in line with imperial demands for financial caution, when he told his Colonial Office masters that it was the policy of the colonial government, enshrined in the regulations accompanying the act, that the adults petitioning for government aid should be of the same denomination as the Church that the money was sought for. This, said Hutt, prevented well-wishers from other denominations artificially inflating the number of signatories and hence expanding government expenditure. Beneficiaries of

³⁰ Lord. Russell to Governor John Hutt, 4 Aug. 1841, SROWA, 41/1178/5, fos 247–9.

³¹ McNair and Rumley, *Pioneer Aboriginal mission*, 54.

³² Russell to Hutt, 4 Aug. 1841, SROWA, 41/1178/5, fos 247–9.

such inflated petitions would, thereby, receive a greater proportion of state aid than they were entitled to in terms of the actual numbers of their tax-paying coadherents. This was, Hutt maintained, the case with the 289 signatories to the Wesleyan petition, a large number of whom were in fact members of the Church of England. Had the list of petitioners been entirely Methodist, Hutt affirmed, they would have been entitled to £150 *per annum* for their chapel and £100 for their minister; but their petition was manifestly not an accurate representation of the number of Methodists in Perth.

The Wesleyans were encouraged to submit a revised list, only again to be told to reapply because they applied under the wrong clause of the act (one specifying places where there was no chapel and they already had one). Their third application ran up against Wesleyan insistence on traditional itinerancy, and the government's bureaucratic need to ensure regular services at a fixed chapel, plus official belief that itinerant ministers were less accountable than their stable counterparts. While Methodist itinerant ministries were to circuits of churches, rather than just between places, clearly the government did not make this distinction. The government were also anxious that the Wesleyans, on account of what it perceived as itinerancy, did not also claim government stipends for the other congregations that Smithies served. If that principle were acknowledged, it would also apply to the more numerous (and thus more costly) Church of England congregations, between which their ministers also travelled. Finally, in a further attempt to restrict government expenditure under the act, the government required that those in receipt of a government stipend be supported additionally only by their congregation, and not by any extra-colonial means:

I wished at the onset to have it clearly established that the Government could recognize and acknowledge no portion of a Minister's salary but that which might be furnished in the Colony itself, in order that any one might come hither, induced by offers held out to him in the Act. Yet trusting also to some external resources, might not be misled into supposing, he would have a claim upon the Government for compensation, in the shape of increased salary, should these resources fail at any after period.³³

This clearly applied to Smithies, who was funded by the English Wesleyan conference, although inadequately. Lord Russell approved Hutt's decision and the rules that he had laid down in applying the act, as preventing a system adopted in other Australian colonies from blowing out financially.³⁴

While it might be thought that the local government was being unnecessarily restrictive, particularly with regard to itinerancy in colonial conditions of very limited numbers of clergy, the Church of England found

³³ Hutt to Russell, 24 Feb. 1841, *ibid.* 390/1166/3, fos 255–61.

³⁴ Russell to Hutt, 1 Sept. 1841, *ibid.* 41/1178/6, fo. 74.

itself also subject to these same restrictions. The Revd George King was the Anglican priest appointed to the charge of Fremantle in 1841. He arrived in the colony as a missionary supported by the Society for the Propagation of the Gospel on an initial stipend of £250 a year, but with a condition that it would be reduced in subsequent years. The following year his application for a government stipend was turned down on the grounds that his income did not derive from the local congregation but from extra-colonial sources.³⁵ In the same year, the Revd William Mitchell in the Swan Valley was asked to clarify whether he still received an income as a missionary of the Colonial Church Society, and until he did so his government salary was in jeopardy.³⁶

Government funding, provided it met the restrictive regulations under the act, was given to the three Churches in the colony that had sufficient adherents to qualify, that is, Church of England, Roman Catholic and Wesleyan. By 1843 the Wesleyans had received £200 towards the cost of their chapel in Fremantle, and were advised that no more could be forthcoming until government revenues improved.³⁷ Wesleyan and Roman Catholic clergy had to wait until 1852 before receiving any government contribution to their clergy stipends.³⁸

The first Roman Catholic ecclesiastical presence began in the colony in 1843 with the arrival of two priests and a catechist sent from New South Wales. In December they began to build their first chapel in Perth, and just two months later, one of them, Fr John Brady, made a unilateral decision to travel to Europe for more recruits for the mission. He returned in January 1846 as bishop of Perth with the most commodious establishment of any denomination in the colony: it included two Benedictines, six nuns and a number of priests and catechists for a Roman Catholic population of probably less than 300 persons in the entire colony.³⁹ In 1844 they applied for government aid towards their Perth chapel, but were advised that the government was not at that date entertaining any such applications as the act had been suspended in December 1843 due to the parlous state of the revenue. However, when funds improved, the colonial secretary informed them, their application would be the first to receive consideration.⁴⁰ Dennis Bourke's contention that no government funds were received by the Roman Catholic Church in the colony between 1844 and 1848 seems to support a *prima facie* case of at least official anti-Catholicism, if not pro-Anglicanism.

³⁵ Colonial secretary to King, 11 Apr. 1842, *ibid.* ACC 49/16, fo. 112; colonial secretary to King, 12 May 1824, ACC 49/15, fo. 295.

³⁶ Colonial secretary to William Mitchell, 29 Sept., 11 Nov. 1842, *ibid.* ACC 49/15, fos 382, 422.

³⁷ Colonial secretary to Committee of the Wesleyan Chapel Fremantle, 21 Sept. 1843, *ibid.* ACC 49/18, fos 194–5.

³⁸ McNair and Rumley, *Pioneer Aboriginal mission*, 54.

³⁹ Bourke, *Catholic Church in Western Australia*, 8–11.

⁴⁰ Colonial secretary to trustees of the Roman Catholic Church property, 31 May 1844, SROWA, ACC 49/17, fo. 436.

But this proves less substantial on examination. In response to the colonial Catholic petition, Governor Fitzgerald advised Earl Grey in 1848 that there had been no application for funding prior to Brady's arrival in 1843, Roman Catholics being content to attend Wesleyan and Anglican services. His predecessor, Governor Hutt, he maintained, had disclaimed the Colonial Secretary's promise they would receive the first available funds after the suspension of the Church Act was lifted, stating that Hutt had only advised them that they were entitled to make a claim for such assistance whenever revenue once again permitted it. This was not completely accurate, as the colonial secretary had put it more strongly than Fitzgerald described, commenting that the Roman Catholics would 'receive first consideration'. This could be interpreted as merely that a review of their application would have priority. But it also was suggestive of a more substantive outcome, as the Catholics evidently believed. It was true, Fitzgerald acknowledged, that Wesleyan and Roman Catholic claims were deferred at the last Legislative Council meeting in favour of Anglican, but that was because of the far greater numbers of Anglican settlers and the consequent larger indebtedness of that Church compared to the other Churches. He rebutted the claims of exclusiveness made in the Catholic petitions by pointing out that the government schoolmaster at York was a Roman Catholic; that for the last two years the Benedictine mission at the Moore River, twenty miles beyond York, had been permitted to occupy crown lands free of charge and their acreage had been recently increased from 1,000 to 4,000 acres; and that the petition failed to take account of the very small Roman Catholic numbers and the funding that Brady's mission had received from external church sources.⁴¹

It seems that no denomination got entirely what it wanted from the colonial government. No only did the Church of England, with by far the largest infrastructure and demands upon it, have to compete with the other Churches for limited and scarce government funding, but that Church was also frustrated by official regulations, particularly concerning Anglicans' various efforts to secure a resident bishop in the colony. This project first arose in January 1842 with a proposal to endow a bishopric from subscriptions of private lands to the crown. However, the governor advised that the minimum surrender of 100 acres was so small as to be almost valueless, and that landholders entering the scheme should consider consolidating their surrenders into larger blocks.⁴² In 1843 the project developed into the concept of surrenders of land in return for Remission Tickets for 300- and 600-acre blocks for the amount of the land surrendered, which could then be sold at auction in England or in the colony. On this basis a projected scheme

⁴¹ Fitzgerald to Earl Grey, 25 Jan. 1848, *ibid.* 390/1166/5, fos 113–18.

⁴² Colonial secretary to chairman of the trustees of Church Property, 22 Jan. 1842, *ibid.* ACC 49/15, fos 226–7.

already had 7,000 acres of subscribed land. The Anglicans also hoped for an equivalent grant of crown land. However, although sympathetic, Governor Hutt had to pour cold water on the prospect. Under the Ripon Regulations, he reminded them, crown land could not be alienated for such purposes.⁴³ Influenced by the proponents of assisted and organised colonisation such as Edward Gibbon Wakefield, these land regulations had been proclaimed by the British government in 1831 for the Australian colonies generally in order to encourage the colonial migration of labourers.⁴⁴ By authorising the sale of crown lands only at an upset price of 5s. an acre, with the income to be spent on subsidising labour migration, the regulations were meant to ensure the basis of this funding by the prevention of free grants of crown lands, or that the labour of such migrants could not be lost because they became landowners from land sold too cheaply.⁴⁵ Hutt, however, did his unavailing best for the Anglican colonists, proposing fruitlessly to Lord Stanley that such a measure would benefit a large proportion of the colonists and therefore could be regarded as coming within the 'public convenience' exceptions to the regulations.⁴⁶ Even leading Anglicans in that tiny society, such as Judge-Advocate W. H. Mackie and Advocate-General George Moore, were similarly frustrated when they had sought in 1836 a free grant of land for their Western Australian Missionary Society; Governor James Stirling reminded them that he no longer had any legal power to grant lands other than by purchase.⁴⁷

The remarkable aspect of colonial administration in the colony in these early decades is not a partiality towards the Church of England, but that colonial officials exhibited an even-handedness over the issue of government funding for Churches in Western Australia. Although all governors and colonial officials were members of the Church of England, as was expected in this period, none of the governors could be described as an enthusiastic churchman, though they did have more devout officials such as George Moore and the military commandant Frederick Irwin. Stirling has been depicted as fitting the mould of formal, conscientious church-going expected of his position;⁴⁸ Hutt as 'an indifferent Churchman';⁴⁹ and Fitzgerald seems to have been of unexceptional piety, although his wife was a devout Anglican. Religious impartiality may not have been to all their tastes. It has been suggested, for example, that Fitzgerald funded Catholic schools on a *pro rata*

⁴³ Hutt to Lord Stanley, 19 June 1843, *ibid.* 390/1166/4, fos 86–8.

⁴⁴ Michael Roe, '1830–1850', in Frank Crowley (ed.), *A new history of Australia*, Melbourne 1974, 88.

⁴⁵ Peter Burroughs, *Britain and Australia, 1831–1855: a study in imperial relations and church land administration*, Oxford 1967, 3, 5–6.

⁴⁶ Hutt to Stanley, 19 June 1843, SROWA, 390/1166/4, fos 86–8.

⁴⁷ Colonial secretary to W. H. Mackie and G. F. Moore, corresponding agents of Western Australian Missionary Society, 9 Aug. 1836, *ibid.* ACC 49/9, fo. 191.

⁴⁸ Statham-Drew, *James Stirling*, 289. ⁴⁹ Aveling, 'Western Australian society', 577.

basis, rather than using the school attendance figures utilised in Britain, because that enabled him to comply with imperial requirements while reducing Catholic funding.⁵⁰ But if only because they had to report to the imperial authorities at home, and to respond to non-Anglican grievances in the colony, they appear to have conscientiously kept to the legal requirements of equity in their official expenditure on colonial religion. This is noteworthy because this period was only just over a decade into the reversal of an Anglican hegemony that had been normative both in England and the empire since the sixteenth century. While such hegemony had been imperially practised in ways that were both intermittent and constrained by local conditions,⁵¹ the political fact remained that Anglicanism was legally, socially and religiously supreme until the constitutional changes of 1828–32. In light of that ancient reality any intransigence by Anglican officials towards other Churches in the Australian colonies in these first two decades of the new religious and political reality should not be surprising. What is striking is that there was so little of it in the formal political procedures of this, the last colony to be founded in the dying years of the old Anglican hegemony.

But this period did not only witness the replacement of an overtly Anglican state and empire with a formally non-denominational one. It also saw the interface between this new political paradigm of increasing non-denominationalism by the British government with the Anglican paradigm developed of that Church seeking to act independently through its own episcopal governors in colonial Churches. In this interaction there was rather less willingness on the part of the governors of Western Australia to treat the Church of England as just another denomination.

Fundamentally, in the colonial period, Western Australia remained small and hampered by lack of money, labour and resources compared with the other Australian colonies. There was a depression in the 1840s, but the colony had recovered by the time Governor Fitzgerald arrived in 1848. But that recovery put just as much pressure on limited resources as the earlier destitution. Economic underdevelopment could be remedied, the increasingly influential pastoralists argued, by the introduction of penal transportation to the colony, which began in 1850 and continued until 1868.⁵² Imperial expenditure on the convict establishment, while it lasted, certainly facilitated growth, but continued modest development acted as a deterrent to would-be migrants to the colony.⁵³

⁵⁰ Laadan Fletcher, 'Education of the people', in Stannage, *New history of Western Australia*,

554.

⁵¹ In the North American colonies Anglican establishment in some colonies and at home was never able to overcome local Dissenter and lay resistance to the foundation of a colonial bishopric: John Frederick Woolverton, *Colonial Anglicanism in North America*, Detroit 1984.

⁵² Pamela Statham, 'Swan River Colony, 1829–1850', in Stannage, *New history of Western Australia*, 209–10.

⁵³ Appleyard, 'Economic and demographic growth', 213–16.

Consequently, the development of the Church of England, which had placed upon it the greatest demands of all the Churches in the colony, had to rely more on the scanty resources of local government than on the settlers. This produced an ambiguous relationship between Church and State, which was not solved even with the introduction of episcopal authority in the form of the bishop of Adelaide in 1847, whose new diocese incorporated Western Australia until 1857 when the first bishopric of Perth was inaugurated. It was an ambiguity that centred on the authority of the governor in relation to the Anglican clergy.

Ecclesiastical authority exercised by a colonial governor was not new. As a manifestation of the royal supremacy in the Church of England it went back to James I's instructions to such officials that they were to promote the Church of England in their territories.⁵⁴ In eighteenth-century colonial North America governors had acted as the 'ordinaries' for colonial clergy in the absence of any colonial episcopate, fulfilling many of the administrative functions of a bishop, such as issuing marriage licences.⁵⁵ Under the revived imperial partnership between Church and State in the empire after the loss of the North American colonies in 1783, it remained a fact, for example, that the colonial governor in Nova Scotia, the site of the first colonial Anglican bishopric, was still more powerful ecclesiastically than the bishop. The historian of this particular Anglican establishment makes it clear that the bishop remained essentially subordinate to the fiscal and legal powers of the governor.⁵⁶ The dominance of the local governor continued to be an accepted continuation in the empire of the monarch's supremacy over the Church of England; only by the end of the eighteenth century that royal prerogative in the empire was now being exercised by the secretary of state for the colonies through the Colonial Office and its colonial governors.

The effective authority of the governor in Western Australia over the few Anglican clergy was also clear in respect to John Wittenoom the colonial chaplain. In February 1830 Stirling gave public notice that the chaplain must bury the dead in the newly-designated burial ground as soon as possible after sunrise, or an hour before sunset 'and at no other time' due to the heat, unless there were exceptional circumstances.⁵⁷ The same month, Wittenoom had to report to the office of the colonial secretary on the day that he proposed to begin his duties in order for his official salary to commence.⁵⁸ The governor not only controlled his salary, but all his other emoluments,

⁵⁴ James Horn, 'Tobacco colonies: the shaping of English society in the seventeenth-century Chesapeake', in Nicholas Canny (ed.), *The Oxford history of the British empire: the origins of empire*, Oxford 1998, i. 187.

⁵⁵ Judith Fingard, *The Anglican design in Loyalist Nova Scotia, 1783-1816*, London 1972, 115.

⁵⁶ *Ibid.* 25-6.

⁵⁷ Government notice, 13 Feb. 1830, SROWA, ACC 49/2, fo. 35.

⁵⁸ Colonial secretary to Wittenoom, 16 Feb. 1830, *ibid.* ACC 49/2, no. 568.

including his house rent, his allowance for a horse and his access to government stores.⁵⁹ But it was not only in respect of the chaplain's government allowances that he was answerable to state officials, of which, of course, he was also one. The following month it seems that Wittenoom and the surveyor-general had a heated disagreement in the latter's office because the colonial secretary sent him Governor Stirling's please-explain note.⁶⁰ The outcome was that Stirling directed him to make any applications to the surveyor in writing, and not in person at his office.⁶¹ Such a dressing-down, within the tiny group of settlers, would no doubt have become publicly known and left no one, least of all Wittenoom, uncertain in 1830 about the relative positions of Church and State in the new colony.

The same accountability of the Anglican clergy to the governor continued under Stirling's successors, even outside the orbit of government funds. Wittenoom found himself ticked off in 1839 by Governor John Hutt for allowing boys at his school to get into the courthouse building at Perth (where the school was held) through the windows.⁶² While this could be seen as merely concern for what was technically a civic building, when Wittenoom applied for leave of absence to visit England Hutt did not hesitate to reject it.⁶³ In the following year he 'requested' Wittenoom to make the first ministerial visit to Albany in response to a request that he had received from the settlers there.⁶⁴ In June 1844 the governor issued an official notice to clarify issues raised by the Act in Council concerning the solemnisation of marriage. Hutt determined that whilst a marriage must be registered beforehand with the government subregistrar this did not obviate the need for the banns to be read. His reason for clarifying this essentially ecclesiastical matter, he claimed, was the lack of a local bishop: 'In this country where there is not a Bishop, or his Surrogate, that authority is exercised by the Governor as the representative of Her Majesty.'⁶⁵

Hutt's short-lived successor, Lieutenant-Colonel Andrew Clarke, determined in 1846 that Wollaston should move from Bunbury to Albany.⁶⁶ When Wollaston pointed out that he was making headway among the settlers in Bunbury and was loath to relinquish his charge, the governor agreed to see if he could make other arrangements. However, the official reply also contained a reminder of the governor's financial hold over the clergy, by asking how much the local settlers were contributing financially towards

⁵⁹ Colonial secretary to Wittenoom, 8 July 1830, *ibid.* no. 954.

⁶⁰ Colonial secretary to Wittenoom, 26 Nov. 1830, *ibid.* ACC 49/3, no. 1320.

⁶¹ Colonial secretary to Wittenoom, 1 Dec. 1830, *ibid.* no. 1345.

⁶² Colonial secretary to Wittenoom, 14 Apr. 1839, *ibid.* ACC 49/12, fo. 167.

⁶³ Colonial secretary to Wittenoom, 21 Nov. 1841, *ibid.* ACC 49/15, fos 153-4.

⁶⁴ Colonial secretary to Wittenoom, 16, 24 Feb. 1842, *ibid.* fos 262, 276.

⁶⁵ Colonial secretary to all six Anglican clergy, 8 June 1844, *ibid.* ACC 49/18, fos 231-3.

⁶⁶ Colonial secretary to Wollaston, 20 Mar. 1846, *ibid.* ACC 49/22, fo. 121.

Wollaston's ministry: 'As it was always understood that whenever the Colonial Government sanctioned the payment of an annual Stipend to a Clergyman the persons who attended divine service would contribute towards his maintenance the Governor is extremely desirous of being informed whether the Inhabitants of the Wellington & Sussex Districts afford you any pecuniary assistant and to what extent.'⁶⁷ The message was clearly that the governor, perhaps as a career soldier, did not like to have his authority over the clergy questioned, and was not above reminding them whence their living ultimately derived.

However, there are some indications of official unease with this situation by the 1840s. Governor Hutt expressed disquiet in 1845 in a letter to Bishop Broughton in Sydney, over a set-back in the creation of a bishopric of Adelaide and its possible replacement by an archdeaconry. Hutt acknowledged to Broughton that the current ecclesiastical arrangements between himself and the Anglican clergy of the colony were irregular, and that he wished the situation to be rectified by means of the appointment of a resident archdeacon or bishop:

There cannot be any doubt that a presiding Head of the Church is required in this Colony with respect to the rank and powers, with which the person, who may be appointed, should be invested, whether as a Bishop; or a Suffragan of your Lordship, or an Archdeacon, this is a matter which can be determined only by the opinion of your Lordship and the will of Her Majesty's Government. Earnestly desirous, as I am, of advancing the prosperity and usefulness of the Church of England, I am the more anxious that the Clerical Establishment should be placed on a proper footing in Western Australia, where at present, both the Clergy and the Governor, find themselves in a most incongruous position. The Ministers are without any superior Ecclesiastical authority, to whom in cases of doubt or difficulty, they can appeal, and the Head of the Government with the least intentions may, if called upon, decide in a manner, very contrary to the rules and discipline of the Church.⁶⁸

Hutt pressed the secretary of state for a resident bishop or archdeacon, arguing that the colony had more clergymen and churches than did South Australia, and the vast distance of Adelaide even from Albany, let alone Perth, made it impossible for an ecclesiastical leader to function effectively for Western Australia from there.⁶⁹

Hutt reiterated the view that he was, as governor, acting only because there was a local vacuum in Anglican ecclesiastical authority, when he wrote to the secretary of state about Broughton's disquiet that some of the Perth Trustees for Church Property were colonial officials: 'There being also no Ecclesiastical Head with whom to advise and who could watch over the

⁶⁷ Colonial secretary to Wollaston, 28 Mar. 1846, *ibid.* fo. 138.

⁶⁸ Hutt to Bishop William Broughton, 30 Jan. 1845, *ibid.* 390/1166/4, fos 260–3.

⁶⁹ Hutt to Stanley, 30 Jan. 1845, *ibid.* fos 259–60.

interests of the Church by giving the proper directions to the exertions lay and Clerical of the Ministers and their Congregations, the Government have been obliged to act upon their own discretion.⁷⁰ He desired, Hutt affirmed, to relinquish this side of his authority to an ecclesiastic:

In all that has hitherto been done I should expect that the Bishop would consider that nothing was to be apprehended for the future welfare and salutary influence of the Church because whilst the Government have as the superior authority in this Country established a control over its temporal they have not pretended to interfere in any way with its spiritual functions. But I can truly assure your Lordship that were I likely to remain here nothing would be to me a greater relief and pleasure than the presence of some regularly constituted Ecclesiastical Functionary armed with the requisite knowledge and power to order or recommend what should be done as occasion and circumstances may require: And I am confident that unless some appointment of this sort is made, confusion will ensue particularly as Ministers and Churches increase and some risk will be run of the position of the Church of England in Western Australia proving finally a heterodox branch of the Establishment.⁷¹

After temporary tenure by the local military commandant, Lieutenant-Colonel Irwin (1847–8), it was Clarke's successor, the autocratic and humane Captain Charles Fitzgerald, who became the first governor who had to deal with a colonial ecclesiastical authority in the form of the first bishop of Adelaide, Augustus Short, and his appointed archdeacon for Western Australia, John Wollaston. Short had been appointed as a consequence of the establishment of the Colonial Bishoprics Fund in the Church of England. His diocese coincided with the civil boundaries of the colonies of South Australia and Western Australia, but it was of an immensity that allowed him to visit Western Australia only once in his episcopate, in 1848.⁷² But Bishop Short was, as a result of the Colonial Bishopric Fund's endowment of his see, an embodiment in Western Australia (albeit a remote one) of the new paradigm of unilateral episcopal engagement by Anglicanism with its colonial development.

Notwithstanding this development, in February 1848, just three months after Short had arrived in his new vast diocese, Governor Clarke was already shuffling the colonial clergy around. The people at Albany had again applied for a clergyman and at the Executive Council it was decided that Wollaston should go there, and the Revd W. R. Postlethwaite should move from the Swan Valley to Wollaston's charge at Bunbury, with William Mitchell left to take over the two former charges at the Swan Valley.⁷³ Postlethwaite dithered about going. Clark told him in September that he could remain at his present

⁷⁰ Hutt to Stanley, 8 Sept. 1845, *ibid.* fos 333–7.

⁷¹ *Ibid.*

⁷² Judith M. Brown, *Augustus Short, DD, bishop of Adelaide*, Adelaide 1974, 22.

⁷³ Colonial secretary to W. R. Postlethwaite, 11 Feb. 1848, SROWA, ACC 49/24, fo. 217.

post for two more months, by which time it was expected that the bishop would make his first visit to the colony 'by whom all matters of the kind to which you refer will be settled'.⁷⁴ But in the event George King resigned and Postlethwaite was appointed to Fremantle in 1848, the colonial secretary advising him in December that year that it was the governor who had made the appointment.⁷⁵ In 1849 the governor was again keeping the hapless Wittenoom up to the mark, telling him that he was not visiting the government school in Perth as regularly as he should as one of the nominated Visitors.⁷⁶

In 1849 it was to the governor and not, it seems, to the archdeacon or the bishop, that William Mitchell applied for leave for a year to return home; Governor Fitzgerald granted the leave, but wanted to know what arrangements Mitchell had made for his charge during his absence.⁷⁷ When the decrepit William Mears intimated his intention to resign the charge of York, Bishop Short intended to replace him with a local man, Charles Harper, as catechist and lay reader, asking the governor if the stipend paid to Mears could be transferred to Harper. The governor advised that this could only be done once Harper was ordained, but that Mears had since advised him of his intention to remain at York.⁷⁸ Pointedly it was the governor, and not the bishop, that Mears advised of his change of heart. But Mears was evidently getting past it, and later that same year there was a complaint from locals that he was carrying out his duties in an 'irregular manner'. The complaint was made to the governor, and it was the governor who asked one of the local trustees of the York church to investigate the matter.⁷⁹ The governor also asked Mears to comment on the complainants' letter.⁸⁰ When Mears's reply was received, Fitzgerald advised him that he would accept his resignation.⁸¹ A few days later the governor told Charles Harper that, in the event of his being ordained by Bishop Short, he could have the charge of York at the same stipend as Mears.⁸² There is no record in the colonial secretary's correspondence of Bishop Short or Archdeacon Wollaston being notified before any of these decisions of the governor were made. The only indication in the colonial secretary's correspondence of the bishop's involvement comes two years later when, in a despatch of Fitzgerald to Lord Grey, it seems that

⁷⁴ Colonial secretary to Postlethwaite, 7 Sept. 1848, *ibid.* ACC 49/25, fo. 107.

⁷⁵ Colonial secretary to Postlethwaite, 26 Dec. 1848, *ibid.* fo. 345.

⁷⁶ Colonial secretary to Wittenoom, 20 Mar. 1849, *ibid.* ACC 49/27, fo. 78.

⁷⁷ Colonial secretary to Mitchell, 17 Apr. 1849, *ibid.* fo. 108.

⁷⁸ Colonial secretary to Bishop Short, 2 May 1849, *ibid.* fo. 120.

⁷⁹ Colonial secretary to Mr Brown, trustee of the York Church, 7 July 1849, *ibid.* ACC 49/26, fo. 86.

⁸⁰ Colonial secretary to William Mears, 13 July 1849, *ibid.* fo. 90.

⁸¹ Colonial secretary to Mears, 21 July 1849, *ibid.* fos 93-4.

⁸² Colonial secretary to Charles Harper, 25 July 1849, *ibid.* fo. 96.

the bishop sanctioned Harper's continuing to reside at Toodyay where he was settled rather than at York.⁸³

The question is what to make of the official culture of the government in this colony which saw governors on the one hand claim that they were either acting only with respect to the Church's temporalities when they derived from government funds; or, that they were only exercising authority in the absence of any resident ecclesiastical authority by virtue of being the crown's appointed representative. But, on the other hand, governors continued to act in matters of clergy placement and discipline, and as the authority to which clergy were accountable even when there was a resident bishop, albeit a distant one, as well as an archdeacon resident in the colony.

From 1847 Bishop Short was ecclesiastically head of the Church of England in that remote colony. Prior to his arrival it seems evident that for colonial officials in Western Australia, while the world of Church and State had changed from the old one of an exclusive Anglican partnership with respect to funding and legal privilege, it had not brought about a change in the erastian mind-set that the old paradigm had too easily lapsed into for those used to wielding political authority. During this period the Church of England in Western Australia was still being treated by the governors as a subordinate partner to colonial government. This was particularly prevalent in this colony because of its poverty and lack of money capital, which meant the local government was the only constant and substantial source of income for the colonial clergy. That financial dependency made the Anglican clergy accountable to the governor for their salaries and for funding for churches and schools.

But clearly, for the official view of things, ecclesiastical authority also meant the government of the colonial Church of England by the secretary of state for the colonies and the local governor as the monarch's representatives; as constituting the royal supremacy in that Church. The Western Australian clergy received a familiar reminder of that supremacy in 1841, following the marriage of Queen Victoria to Prince Albert, when the colonial government published a notice of a decision of the Privy Council to the effect that Prince Albert's name was to be inserted into the Book of Common Prayer. It was completely unremarkable that the clergy should receive this instruction through the governor, acting as the local embodiment of the supreme governor of the Church of England.⁸⁴ It was the same official Anglicanism that was made explicit in 1844 when Governor Hutt issued instructions regarding the solemnisation of marriages by the Anglican clergy, on the basis that he was, in the absence of a bishop, acting 'as the representative of Her Majesty'. This was certainly the conscious mindset of

⁸³ Fitzgerald to Grey, 18 Mar. 1851, *ibid.* 42/1180/9.

⁸⁴ Government notice 173, 21 Dec. 1841, *ibid.* ACC 49/14, fo. 104.

the governors, notwithstanding in 1845 Hutt had claimed this authority was only over the temporal side of the Church and not over its spiritual functions, which were the prerogative of a properly constituted ecclesiastic. But that distinction, while it may have been alive to Hutt, was not one that operated in practice. Stirling, Hutt, Clarke and Fitzgerald were quite at ease when determining the placement of clergy, setting regulations about marriage and the reading of banns in church, and chastising clerics for various inadequacies in the religious duties. Finally, when the declining Mears was found to be unsatisfactory in this respect it appears that he was sacked by the governor and not by Bishop Short, by then the priest's ecclesiastical superior. The erastian mindset of official Anglicanism was particularly difficult to eradicate among colonial governors.

That mindset operated at all points from the colonial peripheries to the imperial centre. Notwithstanding the establishment of the Colonial Bishoprics Fund, the imperial state also exhibited remarkable reluctance to relinquish what it held to be its authority over the imperial expansion of the Church of England by virtue of the royal supremacy. So in 1847 Lord Grey rejected the nomination of the archbishop of Canterbury for the new see of Newcastle in New South Wales, established by the fund. For Grey, nomination by the archbishop was an unacceptable flouting of his exercise of the royal prerogative. He told the archbishop that 'The Secretary of State must exercise his own judgement. No right on the part of the archbishop of Canterbury to recommend the appointment could be recognised.'⁸⁵ However, Hutt's expressed ambivalence about this position in his despatches to the Colonial Office in the mid-1840s indicates that the traditional official understanding of the balance between the colonial Church of England and the imperial government was becoming more uncomfortable for at least some colonial governors by the mid-nineteenth century.

The fundamentally erastian mindset shared by imperial governors on the periphery and at the centre of the British empire sheds light on the difference between, on the one hand, the state implementing in the 1830s political neutrality towards metropolitan and colonial Churches, and, on the other hand, maintaining the essential subordination of the Church of England. The former, fundamental, change was created by metropolitan legislative changes between 1828 and 1832, and was soon implemented in various colonial acts such as the 1836 Church Act in New South Wales and its Western Australian copy in 1840. This legislation helped to create a conscious sense of change and new legal requirements in a format that imperial and colonial officials were familiar with. Legal documents and forms were a central cultural fact in this official world, and now determined that official

⁸⁵ G. P. Shaw, *Patriarch and prophet: William Grant Broughton, 1788–1835: colonial statesman and ecclesiastic*, Melbourne 1978, 205.

largesse should be distributed differently and equitably to denominations in both Britain and her empire. If they were not, then those same legal artefacts would soon ensure that other officials, either in the colony or at home, would bring about a reversal of any departure from the new constitutional framework. Consequently, despite Governor Hutt's desire to assist leading colonial Anglicans in establishing an endowment for a bishop, he knew, and his political master in the Colonial Office knew, that such a desire could no longer be legally accommodated in the new constitutional world of Britain and her empire. There were now acts and regulations to prevent any implementation of an old-fashioned pro-Anglican desire by a prominent colonial official.

But there were also even earlier acts of parliament which enshrined a much older official *mentalité*, the Act of Supremacy and the Act of Uniformity of 1559 which established the royal supremacy in the Church of England, and which had transmuted into a common official erastianism with regard to the colonial Church of England. These had not been rescinded in the 1830s, and so were the legal and political grounds for colonial officials consciously exercising authority over the Church of England, an authority based upon them being the local representatives of the crown. Consequently, because this was a *mentalité* which was both old and shared by both the imperial centre and the colonial periphery, and not legally altered by the constitutional changes of 1828–32, it was more difficult for officials to change, or to feel impelled to do so, even when the Church of England began itself to circumvent that *mentalité* by unilaterally funding its own colonial bishops.

The few histories of Western Australia that address Christianity have generally been written without looking at the wider imperial context of the colony. It is only when the interplay between the colony and the centre of empire is examined that a more accurate and complex picture of official attitudes about colonial Anglicanism in this most peripheral of all the white settler colonies of the empire can be understood. While the colonial governors of Western Australia adapted relatively quickly to the abandonment of an exclusive Anglican partnership by the state and its replacement by a denominationally-neutral policy in the 1830s, the same could not be said for the particular relationship between the State and the Church of England after that date. The erastian relationship between Church and State in Western Australia continued remarkably unchanged after 1832, and persisted in locating economic and even ecclesiastical power over that Church in the governor. As it had been since English colonies began in the early seventeenth century, such government authority was regarded by state officials as the imperial extension of royal supremacy over the Church of England. The governor's financial power, the authority to place clergy and to make decisions even in the specifically ecclesiastical areas of the clergy's life continued in Western Australia even after the arrival of a colonial bishop. In the other Australian colonies that had known the old Anglican ascendancy, the

perpetuation of the colonial government's authority over the Church of England did not long survive the implementation of political neutrality with respect to state aid to all denominations. It was effectively relinquished in New South Wales in 1836 with the passing of the Church Act, and in Van Dieman's Land the following year. But in Western Australia erastianism lasted longer than in any other Australian colony, surviving the inauguration of multi-denominational state aid in 1840 and the arrival of an appointed bishop. While distance certainly played a part in the maintenance of this civil authority, as did the poverty of the colony and the fiscal resources of the colonial government, ultimately it was a reluctance of the governors to relinquish a power that they had customarily exercised with regard to the Church of England, coupled with the very remote location of the 'local' bishop, which prolonged the erastian government of the Church of England in that colony. The Church of England, with its Colonial Bishoprics Fund, might inaugurate in 1841 a new imperial paradigm of an autonomous, episcopal engagement with the empire, but its success still depended, as it had for centuries, upon the willingness of the state also to embrace it. As always in its institutional involvement in the British empire, the Church of England in the mid-nineteenth century needed to understand that it took two to tango. The misgivings of Governor Hutt about his ecclesiastical role in the mid-1840s were an indication that some colonial officials at least were beginning to recognise, if not to immediately to accept, that there was a different Anglican invitation to a new sort of dance between Church and State from their customary religious partner at the imperial ball.

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